

MINUTES OF THE MEETING OF BOARD OF PUBLIC WORKS, NOVEMBER 10, 1942

The Board of Public Works met on November 10, 1942, in the office of the Governor, State House, Annapolis, Maryland.

There were present: Herbert R. O'Connor, Governor
 J. Millard Tawes, Comptroller
 Hooper S. Miles, Treasurer

Mr. Walter N. Kirkman, Director, Department of Budget and Procurement, also attended the meeting.

The Minutes of the Meeting of September 30, 1942, copy of which was sent to each member of the Board, were approved.

BUDGET:

Mr. Kirkman stated that in a number of instances it was not possible for some of the State Agencies to effect the saving in their budgets made necessary by the 1% reduction which the Board had ordered at the beginning of the fiscal year in order to comply with the requirements imposed upon the Board by the General Assembly of 1941 in the footnote it added to the Budget, requiring the elimination of \$100,000 in the General Funds from the total of the appropriation for 1942. Since the reversions for the year greatly exceeded the \$100,000 saving which it was necessary to make, it was felt that the requirement for the saving was more than taken care of, and that in instances where it was not possible for an agency to effect the 1% saving, the agency was accordingly relieved of the necessity of making that saving.

CHELTHENHAM SCHOOL FOR BOYS:

The Board approved the request of Cheltenham School for Boys for authority to pay the firm of Kea, Ross & Walton the sum of \$2,760.00 on account of architectural services rendered by them in connection with construction work to be done in the institution, where there has been a delay in proceeding with the work because of the inability of the institution and/or its contractors to secure critical materials. This payment represents forty percent (40%) of the fee to which the architects would be entitled on the basis of the estimated cost of the work, with the understanding that when the material situation improves and it will be possible to proceed with the work, the architects will follow through, secure bids and carry out the rest of their agreement.

COMPTROLLER OF THE TREASURY:

Refunds

After due consideration the Board authorized the payment of the following refunds from Miscellaneous Appropriation #2, Item #24, as ordered by the State Tax Commission.

Fiscal Year 1942:

Franchise Tax:	The Cohn & Bock Co.	\$15.37
License(Marriage):	G. Quynnton Fitzell	3.05
Title Tax:	Dr. Evelyn L. Pinkston	19.45
	Owen Delta Davis	6.52
	Glenn Peter Babcock	6.04
	Fred Alex. Elliott	2.81
	Keeshin Motor Express Co., Inc.	34.15
	Gulf Oil Corp.	76.82
	Ted Roosevelt Beaman	1.00
	Holden Daffin Alkire	5.11
	Francis Ernest Gray	5.52

Perry Davis Padgett	\$6.56	
George Tiller	3.02	
Frederick Wright	1.20	
Julius Jennings	1.00	\$187.62

Fiscal Year 1943:

Alcoholic Beverages Tax		8,332.41
Post Exchange, Aberdeen Proving Ground	454.34	
" " " "	698.40	
Edgewood Arsenal Exchange	172.87	
Officers' Club, Gunpowder Canteen, Edgewood Arsenal, Md.	13.90	
Officers' Mess, Edgewood Arsenal, Md.	17.75	
" " " "	16.61	
Chemical Warfare Center Exchange, Edgewood Arsenal, Md.	207.27	
Post Exchange, Ft. Geo. G. Meade, Md.	820.34	
Exchange, Holabird Quartermaster Motor Base, Baltimore, Md.	77.94	
" " " "	63.70	
Post Exchange, Marine Barracks, U. S. Naval Powder Factory, Indian Head, Md.	8.55	
" " " "	4.54	
Ship's Service Store, Coast Guard Yard, Curtis Bay, Md.	50.83	
" " " "	53.43	
Steward, Warrant Officers' Club, U. S. Coast Guard Yard, Curtis Bay, Md.	6.39	
Rev. Maurice B. Alexander, for our Lady Star of the Sea Church	8.00	
Rev. Frank Hay Staples, for St. Paul's Guild House	1.00	
St. Mary's Industrial School	2.00	
Rev. T. I. Skryanski, for St. Stephen's Church	3.20	
Rev. M. J. O'Neill, for St. Francis' Church	2.00	
Sisters of St. Francis	2.00	
Rev. J. F. Leary, for St. Mary's Church	6.10	
St. Elizabeth's Home	1.92	
St. Ann's Church	10.30	
Rev. J. Ambrose Quinn, for St. Joseph's Ch.	1.92	
Rev. P. J. Bradley, for St. Michael's Church, Frostburg, Md.	6.20	
Rev. Gilbert McDonald, for St. Michael's Church, Overlea, Md.	1.48	
Mercy Villa	2.00	
Rev. Leo Otterbein	10.00	
Rev. Jos. B. Hauck, for St. Luke's Ch.	1.92	
Rev. J. J. Donlan, for St. Dominic's Ch.	9.80	
Rev. J. H. Twamley, for St. Martin's Rectory	1.92	
Rev. John M. Jacobs, for LOYOLA College	11.68	
Rev. M. J. Finnerty, for St. Francis' Ch.	3.44	
Jenkins Memorial Hospital	.48	
Rt. Rev. Mgr. L. R. Stickney, for Sacred Heart Church	3.84	
Bon Secours Hospital	5.76	
Rev. John L. Gipprich, for St. Aloysius' Ch.	2.80	
Rev. Edmond J. Fontaine, for St. Mary's Church, Lonaconing, Md.	2.00	
Rt. Rev. S. Wachowiak, for Holy Rosary Church	10.20	
Rev. Jos. A. Myer, for St. Mary's Church, Laurel, Md.	2.40	
Trinity Preparatory School	4.40	
Sisters of Bon Secours	2.00	
Rev. George Creswell, for Immaculate Conception Church	2.00	
Anheuser-Busch, Inc.	544.81	
" " "	351.56	
Eastern Beverage Corp.	36.03	
Liebmann Breweries, Inc.	644.13	

Pabst Sales Company	5.12	
Pittsburgh Brewing Co.	8.83	
Pittsburgh Brewing Co., Eberhardt & Ober Brewery	27.90	
Post Exchange, Aberdeen Proving Grd., Md.	801.01	
Chemical Warfare Center Exchange, Edgewood Arsenal, Md.	174.68	
Officers' Mess, Edgewood Arsenal, Md.	25.27	
" " " " "	31.05	
Post Exchange, Holabird Ordnance Motor Base, Baltimore, Md.	70.23	
Post Exchange, Ft. Geo. G. Meade	932.80	
Post Exchange, Marine Barracks, Naval Powder Factory, Indian Head	39.60	
" " " " "	19.41	
Ship's Service Store, U. S. Coast Guard Yard, Curtis Bay, Md.	61.10	
Officers' Club, Aberdeen Proving Ground, Aberdeen, Md.	48.80	
Officers' Club Annex, Aberdeen Proving Ground, Aberdeen, Md.	108.15	
Chemical Warfare Center Exchange, Edgewood Arsenal, Md.	137.33	
" " " " "	123.89	
Officers' Mess, Student Officers' Canteen, Edgewood Arsenal, Md.	33.26	
Post Exchange, Holabird Ordnance Motor Base, Baltimore, Md.	82.68	
" " " " "	100.89	
Post Exchange, Ft. Geo. G. Meade, Md.	1,134.26	
Franchise Tax -		11.31
Cambridge Chamber of Commerce	11.31	
Recordation Tax -		126.86
Reconstruction Finance Corp.	57.28	
" " "	69.58	
Titling Tax -		674.00
The Clark Sand & Gravel Co.	663.20	
Woodrow Adolphus Kapp	2.15	
Tom's Auto Service, Inc.	5.43	
Claude Philip Moore	1.21	
Reed's Garage	2.01	
		<u>\$9,332.20</u>

CONVENTIONS:

The Secretary brought to the attention of the Board a request from the Real Estate Commission of Maryland that their Secretary-Treasurer be permitted to attend the convention of the National Association of Real Estate License Law Officials to be held in St. Louis the week of November 16, 1942, at an expense of \$125.00, payable out of the appropriation to the Commission.

After consideration of the request, it was felt that the policy of the Board heretofore adopted should be adhered to and the request should not be approved.

COURT COSTS:

The Board approved for payment bill of The Daily Record Company in the amount of \$125.00 to the Attorney General of Maryland for the printing of Brief in cases, #16 to #20 Wood et al vs. Tawes Comptroller, etc., out of Item #207 of the Budget of the Board of Public Works.

DEPARTMENT OF TIDEWATER FISHERIES:

The Secretary brought to the attention of the Board a communication from the Department of Tidewater Fisheries in which permission was requested to sell the Power Boat Kent and purchase another boat in its place at a price of \$3,000.00.

The Board approved the request of the Department.

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The Secretary brought to the attention of the Board a communication received from the Department of Tidewater Fisheries relative to the channel dredging operations in Tangier Sound and Wicomico River by the Government in 1940-41. The substance of the communication was to the effect that a full investigation had been made and that the opinion of the Department was that none of the claims submitted for damages were justified; there being but one protest received taking exception to the action of the Department in disapproving claims, from Mr. D. Moody Horner. The Engineer of the Department met with Mr. Horner and made a complete joint examination of the bottom, from which no new facts supporting the lessees assertions were discovered. The Department wrote Mr. Horner confirming its original judgment. The Report of the Department of Tidewater Fisheries was approved.

In the report submitted by the Department, attention was called to the fact that it had been necessary to expend the sum of \$503.00 in connection with the work of making the investigations and the Board was requested to authorize reimbursement of this amount to the Department of Tidewater Fisheries from the appropriation made to cover Damages to Oyster Beds in Wicomico County. The request for this reimbursement was approved.

EMERGENCY BOND ISSUE OF 1935:

The Board adopted the following resolution, declaring as unnecessary the 1943 levy for the Emergency Bond Issue of 1935, as provided by Chapter 91 of the Acts of 1935.

RESOLUTION

WHEREAS, under Section 9 of Chapter 91 of the Acts of the General Assembly of Maryland of 1935, provision is made for the levy of State Taxes for the year 1943 at four and one-quarter cents ($4\frac{1}{4}\%$) on each One Hundred Dollars (\$100.00) of assessable property, to meet the interest on the outstanding certificates of the Emergency Bond Issue of 1935, and also to meet and redeem so much of the principal as may be redeemable in said year, unless, before January 1st, 1943, the Board of Public Works shall ascertain as a fact that all payments of principal and interest have been met during the current year, and that the reserve fund provided for in Section 8 of said Act is unimpaired; and

WHEREAS, the Comptroller has presented to the Board a statement showing that there was on hand in the State Treasury, September 30, 1942, the Reserve Fund of \$500,000 required by Chapter 91 of the Acts of the General Assembly of Maryland of 1935, after making provision for paying all interest due on the Emergency Bond Issue of 1935 in the calendar year 1942, and the Comptroller further estimates that the receipts in the State's fiscal year beginning October 1, 1942, from Collateral Inheritance Tax and Direct Inheritance Tax will be \$1,500,000.00, and further advises the Board that the requirements for interest in the calendar year 1943 on the Emergency Bond Issue of 1935 will be \$166,257.50, with maturities of \$402,00.00 on April 15, 1943, and \$216,000.00 on October 15, 1943, indicating a total service requirement of \$784,257.50; and

THEREFORE, BE IT RESOLVED: That the Board of Public Works does hereby find as a fact that all payments of principal and interest upon said certificates have been provided during the current year, and that the Reserve Fund provided for in Section 8 of said Act is unimpaired; and

BE IT FURTHER RESOLVED: That the Governor of Maryland be, and he is hereby authorized and directed to publicly declare by proclamation that the State Taxes provided for in Section 9 of said Act shall not be collected or levied for the year 1943.

EMPLOYEES' RETIREMENT SYSTEM OF STATE OF MARYLAND:

The Secretary brought to the attention of the Board the fact that Chapter 676 of the Acts of 1941 authorizes the Board to take some action in connection with the payment by the State of contributions to the Employees' Retirement System of State of Maryland for employees inducted into the armed services of the country in the present war emergency.

The Board took no action at this time because it was felt that this and other questions affecting the status of State Employees who have entered the armed service will be considered at the coming session of the General Assembly.

HALL OF RECORDS:

The Secretary brought to the attention of the Board a request from Dr. Morris L. Radoff, Archivist, that he be authorized to have the annual report of the Hall of Records printed this year. Dr. Radoff stated that the cost would be approximately \$60.00.

After considering the request, it was agreed that Dr. Radoff should be authorized to proceed with the publishing of this report.

LEASES:

Maryland State Board of Motion Picture Censors: - Mr. Kirkman took up with the Board the question of reimbursing the owner of the property at 211 N. Calvert Street, Baltimore, for repairs which it was necessary for the owner to make after the Maryland State Board of Motion Picture Censors moved from those premises to their new location on N. Howard Street, Baltimore. The owner submitted a bill in the amount of \$250.00 to cover the expense of making the repairs, but Mr. Kirkman questioned the amount, saying he had no information showing just what was done which would enable him to decide if the amount of the bill is fair and reasonable. It so happens that the amount of the bill is equivalent to one month's rent and it was thought that instead of submitting a detailed bill showing the cost of making the repairs the owner felt that he should receive one month's rent in lieu thereof.

Mr. Kirkman stated that he would make a further effort to obtain an itemized statement showing the cost of the repairs.

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Real Estate Commission of Maryland: - Mr. Kirkman took up with the Board the question of securing additional space for the Real Estate Commission because of the necessity of having space in which to hold the hearings on complaints which the Commission receives from time to time. It was suggested that instead of leasing additional space, arrangements could be made for the use of the Hearing Room of the State Tax Commission.

Mr. Kirkman was requested to confer with the Real Estate Commission to see if this arrangement could be made.

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The Board approved the following leases:

Board of Mental Hygiene: - with Safe Deposit & Trust Co. of Baltimore, for offices 512, 513, 514 and 151 Professional Building, for a term of one year from October 1, 1942, at an annual rental of \$1,000.00.

Board of Public Works: - with Union Trust Company of Maryland, for offices #1001 to 1012, #901 to 912, #501 to 512, #701 and 702, inclusive, in the Union Trust Building, for a term of two years, at an annual rental of \$22,200.00, from October 1, 1942.

State Board of Examining Engineers: - with Court Square Building, Inc. for Suite 1716 Court Square Building, for a term of one year at an annual rental of \$420.00, from December 1, 1942.

State Department of Public Welfare: - with Charles I. Elzey for the two-story warehouse at 2405-07-11-13 W. Franklin Street, Baltimore, together with use of the railroad siding on said property, for the term of one year from November 15, 1942, at an annual rental of \$4,200.00.

Unemployment Compensation Board: - with Baltimore Realty Trust, Inc. for all rentable area on the seventh floor; offices # 909, 910, and 926 to 936, inclusive; and offices #1234 to 1248, inclusive, in the Baltimore Trust Building, for a term of one year from September 1, 1942, at an annual rental of \$32,754.75.

MARYLAND DEFENSE COUNCIL:

The Secretary brought to the attention of the Board a statement showing the status of the account for the Maryland Council of Defense as of September 30, 1942, the statement showing an overdraft, or an excess expenditure over the amount available, of \$53,922.54. After consideration of the matter, it was decided to charge this overdraft to Item 208-C of the budget of the Military Department for the fiscal year 1943, since under an explanatory footnote to the budget of the Military Department it is shown that it is the intention that the appropriation to the Military Department for the fiscal year 1943 should be made available for defense purposes to the extent that it is not needed for the Military Department in that year.

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The Secretary brought to the attention of the Board a communication received from the Department of Finance of Baltimore City with statement showing the expenditures made by the City of Baltimore in connection with the installation of a 36-inch water main to the Glenn L. Martin plant. The statement shows expenditures by the City as of November 1, 1942 in the amount of \$125,875.03 and since the Board had previously approved an agreement whereby the State would assume part of the cost of the installation of this water main to the extent of \$93,000.00, this being an estimate of one-half of the cost which would be borne jointly by the City and State, the Board approved payment by the State Treasury Department to Baltimore City of one-half of the amount expended to November 1, 1942, or \$62,937.51, the Treasury to be reimbursed for this expenditure by funds to be provided by the General Assembly when it meets in January 1943.

MARYLAND TRAINING SCHOOL FOR COLORED GIRLS:

The Board approved request received from the Maryland Training School for Colored Girls that it be authorized to proceed with repairs to the East and West Cottages at a cost of approximately \$500.00, the work to be done thru the Department of Budget and Procurement.

The Board also approved the expenditure of \$150.00 to install protection frame inclosures on openings in the rear of the Administration Building, and \$105.00 to build a 4' high iron mesh fence around the septic tank, with these amounts to be paid from the balance to the credit of the institution in the General Bond Issue of 1941.

MARYLAND TRAINING SCHOOL FOR BOYS:

Mr. Kirkman brought to the attention of the Board a proposed agreement between the Maryland Training School for Boys and the Consolidated Gas Electric Light and Power Company of Baltimore relative to electric service to be furnished at the dairy barn. Mr. Kirkman called attention to Item #2 which provides that the State "shall indemnify and save harmless the Licensor from and against any and all loss, cost, damage, expense, or claims or demands therefor, arising out of or resulting from the installation and maintenance of the said wires on said pole and from the presence of said wires on the said pole", and suggested that this paragraph might be objectionable to the State.

After considering the matter, it was agreed to refer the proposed agreement to the Attorney General for advice.

MARYLAND TUBERCULOSIS SANATORIUM:

The Secretary reported to the Board, for its information because of the Board having previously given authority to the Maryland Tuberculosis Sanatorium for use of fees to supplement its budget for the fiscal year 1942, that the sum of \$25,295.00 which had been received as fees had been used for the purpose stated.

MORGAN STATE COLLEGE:

The Board approved for payment the requisition received from Morgan State College covering payments to various educational institutions on behalf of students attending those institutions, in the sum of \$12,134.50, payable out of the appropriation for the Scholarship Fund-Morgan State College for the fiscal year 1943.

SPRINGFIELD STATE HOSPITAL:

The Secretary brought to the attention of the Board a letter received from Springfield State Hospital, dated November 6, 1942, relative to three small construction projects which it is desired to proceed with at the institution, the cost of which will be approximately \$19,928.00. The hospital recommended that it be permitted to have the Davis Construction Co. do the work on a cost-plus-basis.

After consideration, it was felt that bids should be obtained for the work instead of having it done on a cost-plus-basis, as outlined in the request from the hospital.

Mr. Kirkman was instructed to advise the hospital of the Board's decision.

The hospital also requested permission to employ Mr. Henry P. Hopkins as architect, which was agreeable to the Board, to prepare the necessary plans and specifications.

STATE LIBRARY:

Mr. Kirkman brought to the attention of the Board several bids which had been received for the furnishing of Venetian Blinds for the State Library. Upon his recommendation, the Board approved the acceptance of the bid of \$348.00 made by Venetian Manufacturing Company, payment to be made out of the appropriation of \$1,500.00 in the budget for Painting and Improvements to the State Library.

STATE PROPERTY:

See: Department of Tidewater Fisheries, these minutes.

Department of Correction:- The Board approved the sale of 58 beds at a price of \$1.00 each by the Maryland House of Correction to the Maryland Penitentiary, as submitted by Mr. Kirkman.

Maryland Penal Farm: - The Board approved the sale of certain items by the Maryland State Penal Farm to Maryland Tuberculosis Sanatorium, in accordance with lists attached to letters of the Penal Farm dated September 14 and October 1, 1942, submitted by Mr. Kirkman from his file.

Morgan State College: - The approval of the Board was given to the sale of three 100 h.p. Kewanse Boilers by Morgan State College to Glenn L. Martin Co. in accordance with the firm's communication of October 30, 1942, in the amount of \$650.00, submitted by Mr. Kirkman.

State Department of Education: - The Board approved sale of used bus at a price of \$2,201.00 by Towson Teachers College to Board of Education of Anne Arundel County, as submitted by Mr. Kirkman.

State Roads Commission: - The Board approved disposal of property as shown in Property Condemnation Reports of the State Roads Commission:

#3134	#3229	#3256	#3627	#3630	#3633	#3636	#3715
3135	3230	3713	3628	3631	3634	3449	3232
3228	3231	3626	3629	3632	3635	3450	3320.

Maryland Tuberculosis Sanatorium: - The Board approved the sale of boiler by Maryland Tuberculosis Sanatorium, Eastern Shore Branch, to the Salisbury Teachers College, at a price of \$50.00, as submitted by Mr. Kirkman.

STATE ROADS COMMISSION:

The Secretary brought to the attention of the Board a request from the State Roads Commission that the Board join in the execution of a deed conveying 5.23 acres of land in Harford County to William M. Grant. The Commission is to receive from Mr. Grant, as consideration for the property, the sum of \$2,500.00. The Commission had received bids from six persons for the property and the bid of Mr. Grant was the highest and was accepted subject to the approval of the Board of Public Works.

The Board approved the acceptance of the bid of Mr. Grant and the members of the Board affixed their signatures to the deed conveying the property to him.

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The Secretary brought to the attention of the Board a bill received from Tolchester Lines, Inc., dated October 30, 1942, in the amount of \$416.55, covering the ferry's subsidy for the month of October 1942, representing the amount due for operation of the ferry on fifteen days in the month of October. The Secretary stated he had gotten in touch with the Public Service Commission and verified the fact that the Tolchester Lines, Inc. had operated a ferry for the purpose of carrying automobiles across the Bay on fifteen days in the month of October and that, in the opinion of the Commission, the Tolchester Lines, Inc. was complying with the provisions attached to the appropriation providing for the ferry service.

Under the circumstances, the Board approved the bill for payment.

SUPERINTENDENT OF PUBLIC BUILDINGS & GROUNDS:

The Board approved payment of bill of Charles Nelson Brooks in the amount of \$1,090.00, for painting the interior of the Library of the Court of Appeals, and the refinishing of all windows of the Library, which later bid was in the amount of \$40.00.

UNIVERSITY OF MARYLAND:

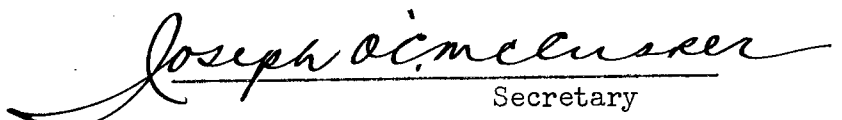
The Secretary brought to the attention of the Board a letter received from Dr. H. C. Byrd, President of the University of Maryland, dated October 20, 1942, advising that the Federal Government had approved an allotment of \$100,000 to the University Hospital for completing the twelfth floor of that institution. In his letter Dr. Byrd stated that it was necessary for him to get together certain plans and figures, and that he had authorized Mr. James R. Edmunds, who was the architect on the original building and the addition of two floors, to proceed with the work of furnishing the necessary plans and figures. This action Dr. Byrd requested be approved by the Board.

The Board approved the employment of Mr. Edmunds as architect for this work.

MARYLAND COUNCIL OF DEFENSE:

Mr. Kirkman submitted to the Board, for approval, a proposed budget for the Maryland Council of Defense for the fiscal year 1943, in the amount of \$39,000.00. Upon recommendation of Mr. Kirkman, the Board approved the budget.

There being no further business, the meeting was adjourned.


Secretary